

1 ALAN R. SMITH, ESQ.  
Nevada Bar No. 1449  
2 HOLLY E. ESTES, ESQ.  
Nevada Bar No. 11797  
3 Law Offices of Alan R. Smith  
505 Ridge Street  
4 Reno, Nevada 89501  
Telephone (775) 786-4579  
5 Facsimile (775) 786-3066  
Email: [mail@asmithlaw.com](mailto:mail@asmithlaw.com)

***ELECTRONICALLY FILED***  
***June 30, 2014***

6 Attorney for Debtors  
7 ANTHONY THOMAS and WENDI  
THOMAS and AT EMERALD, LLC  
8

9 UNITED STATES BANKRUPTCY COURT  
10 DISTRICT OF NEVADA

11 —ooOoo—

12 In Re:  
13 ANTHONY THOMAS and  
WENDI THOMAS,  
14  
15 AT EMERALD, LLC,  
16  
17 Debtors,

Case No. BK-N-14-50333-BTB  
Case No. BK-N-14-50331-BTB

Chapter 11 Cases

[Jointly Administered]

**REPLY TO LIMITED OBJECTION TO**  
**MOTION TO SELL ASSETS FREE**  
**AND CLEAR OF LIENS**

Hearing Date: July 1, 2014  
Hearing Time: 2:30 p.m.

18 \_\_\_\_\_ /  
19 Debtor, AT EMERALD, LLC, a Nevada limited liability company (hereinafter the  
20 “Debtor”), by and through its undersigned counsel, Holly E. Estes, Esq., of the Law Offices  
21 of Alan R. Smith, hereby files its reply to Limited Objection To Motion To Sell Assets Free  
22 And Clear Of Liens [DE 101] (the “Opposition”). This reply is made and based upon the  
23 following points and authorities.

24 **POINTS AND AUTHORITIES**

25 1. The Debtor, AT Emerald, LLC, filed its Motion To Sell Assets Free And Clear  
26 Of Liens And Motion To File Purchase And Sale Agreement Under Seal [DE 83] (the “Sale  
27 Motion”) on June 23, 2014.

28 2. On March 4, 2014, Anthony Thomas and Wendi Thomas filed their bankruptcy

1 petition.

2 3. On June 12, 2014, Kenmark Ventures, LLC ("Kenmark"), filed a proof of  
3 claim in the amount of \$4,500,000.00 [Claim No. 7] in the Anthony Thomas and Wendi  
4 Thomas bankruptcy case, case number BK-N-14-50333-BTB.

5 4. On June 27, 2014, Kenmark filed its Opposition.

6 Kenmark is a creditor of Anthony and Wendi Thomas, and not a creditor of AT  
7 Emerald. Kenmark has not established that it has standing to object to the Sale Motion.  
8 Kenmark incorrectly states that it objects to the motion of "Anthony Thomas and Wendi  
9 Thomas to sell assets free and clear of liens." The Sale Motion was filed by AT Emerald,  
10 LLC.

11 Further, Kenmark has failed to substantiate its proof of claim filed against Anthony  
12 Thomas and Wendi Thomas. Attached to both the filed proof of claim and the Opposition  
13 is a proposed stipulated judgement in the amount of \$4,500,000 with interest to accrue at the  
14 rate of 10% per annum from the date of entry of the judgement. A judgement has not been  
15 entered. Anthony and Wendi Thomas still have time to object to the Kenmark filed proof of  
16 claim.

17 Anthony and Wendi Thomas are agreeable to placing \$4,500,000.00 in sales proceeds  
18 into the trust account of the Law Offices of Alan R. Smith pending resolution of any dispute  
19 surrounding the Kenmark claim.

20 DATED this 30th day of June, 2014.

21  
22 LAW OFFICES OF ALAN R. SMITH

23  
24 By: /s/ Alan R. Smith

25 ALAN R. SMITH, ESQ.

26 Attorney for Debtor  
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